

## **Environmental Regulations Guide**

### **Section 7 Environmental Assessments**

#### **7.0 National Environmental Policy Act of 1969 (NEPA): 40 CFR parts 1500-1508; 42 USC chapter 55**

##### **Purpose**

To establish a national policy for attaining certain levels of environmental protection and ensure a high quality of public health for all citizens.

##### **Helpful Details**

EPA is responsible to improve and coordinate federal plans, functions, programs and resources to:

1. Fulfill the responsibilities of each generation as trustee of the environment for succeeding generations;
2. Assure for all Americans safe, healthful, productive and aesthetically and culturally pleasing surroundings;
3. Attain the widest range of beneficial uses of the environment without degradation, risk of health or safety, or other undesirable unintended consequences;
4. Preserve important historic, cultural and natural aspects of our national heritage;
5. Achieve a balance between population and resource use which will permit high standards of living and a wide sharing of life's amenities; and
6. Enhance the quality of life of renewable resources and approach the maximum attainable recycling of depletable resources.

##### **Agency Contacts**

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| U.S. Environmental Protection Agency (EPA)<br>401 M Street SW<br>Washington, DC 20460<br>(202) 554-1404 |
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##### **Actions Required**

NEPA requirements apply primarily when the city engages in a federally funded/permitted project. If the city does engage in this activity the following "action-forcing" mechanisms are required:

- Prepare an analysis of the environmental impact of a project; i.e. an Environmental Impact Statement (EIS)
- Utilize an interdisciplinary approach to planning and decision-making
- Insure consideration of unquantified environmental values
- Study and develop alternatives to proposals involving unresolved conflicts over use of resources
- Recognize the world-wide and long-range character of environmental problems
- Make usable environmental information generally available
- Initiate ecological information for resource-oriented projects

##### **Fees**

None

**Best Numbers to Call**

City of Scottsdale Environmental Hotline: (480) 312-7899  
U.S. Environmental Protection Agency (EPA): (202) 554-1404

**7.1 Environmental Assessment: 40 CFR part 1500**

The City of Scottsdale's Environmental Assessment Process; Due Diligence. Office of Environmental Affairs, Spring 1992. Comprehensive Environmental Response, Compensation and Liability Act of 1980 (42 U.S.C. 9601, et seq).

**Purpose**

To minimize liability for environmental contamination of property by performing "due diligence," which means an appropriate inquiry into the previous ownership and uses of property prior to acquisition. (Acquisition may be through purchase, gift of deed, condemnation, easement, lease, dedication, or other transaction, where the City of Scottsdale manages the use of the property.)

**Helpful Details**

Property owners may be liable for cleanup costs on contaminated property that they own. The city may also have liability because of management oversight of a property, or municipal actions regarding a property, such as plan approvals, enforcing ordinances or issuance of permits.

**Agency Contacts**

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| City of Scottsdale<br>Environmental Planning & Design Office<br>One Civic Center, Suite 300<br>7447 East Indian School Road<br>Scottsdale, AZ. 85251<br>(480) 312-7990 | City of Scottsdale<br>Development Services<br>7447 E. Indian School Rd., Suite 100<br>Scottsdale, AZ 85251<br>(480) 312-2500 |
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**Actions Required**

Applicants for development permits within Scottsdale must complete the city's Environmental Assessment Checklist as part of the development application process. Scottsdale, city staff, especially Transportation Department, Development & Quality Compliance, Capital Project Management, and Asset Management should follow the procedures outlined in the Due Diligence Policy Paper.

**Fees**

On any property being purchased by, deeded to, condemned by, or leased, or dedicated to the City, staff may consider the preparation of an environmental assessments to be a condition of the transaction and may ask for fees to be paid for the performance of these assessments.

**Best Numbers to Call**

City of Scottsdale Environmental Hotline: (480) 312-7899  
City of Scottsdale Development Services: (480) 312-2500

**7.2 Endangered Species Act: 16 USC chapter 35; 50 CFR parts 1-91; ARS 17-231; "Threatened Native Wildlife in Arizona" AGFD 1988.**

**Purpose**

To conserve endangered and threatened fish, wildlife, plants, and their ecosystems.

### Helpful Details

U.S. Fish and Wildlife Service administers this act. Lists of endangered and threatened species, their range and any critical habitat, are published in the Federal Register. There are about 1,177 threatened or endangered species of plants and animals in the United States. About 51 of these are identified as living in Arizona, and only 15 species (12 animal, 3 plant) are listed for Maricopa County.

### Agency Contacts

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|--|---|
| U.S. Fish and Wildlife Service<br>Ecological Services Division<br>3616 W. Thomas Rd., Suite 6<br>Phoenix, AZ 85019<br>(602) 379-4720 | Arizona Game & Fish Department<br>Habitat Branch<br>2221 W. Greenway Rd.<br>Phoenix, AZ 85023<br>(602) 789-8601 |
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### Actions Required

Federal agencies must consult with the Fish and Wildlife Service if any action they wholly or partially authorize, fund or carry out may affect federally endangered or threatened species or may result in the destruction or modification of critical habitat for endangered or threatened species.

Projects that occur on State or private land are regulated if the action may "take" endangered or threatened animals, plants or their habitat.

Arizona Game & Fish Department developed a guidance document "Threatened Native Wildlife in Arizona" the department was internally to assess impacts to projects. It serves as a guideline and summary document of the status of Native Arizona wildlife that is being monitored for population declines or threats to its existence.

### Fees

None

### Best Numbers to Call

City of Scottsdale Environmental Hotline: (480) 312-7899

U.S. Fish and Wildlife Service: (602) 379-4720

Arizona Game & Fish Department (602) 789-8606

## 7.3 Fish and Wildlife Coordination Act: 16 USC (various chapters)

### Purpose

To recognize the importance of wildlife resources and provide wildlife conservation with equal consideration in water resource development plans, and to require that prior to issuance of a Section 404 Permit, the U.S. Army Corps of Engineers must consult with USFWS and AGFD concerning wildlife resources.

### Helpful Details

USFWS and AGFD review Section 404 permits for impacts on birds, fish, mammals and all other classes of wild animals and all types of vegetation (land and aquatic) on which they depend. Any federal agency that proposes to control or modify any body of water must first consult with the U.S. Fish and Wildlife Service and, for actions in Arizona, the Arizona Game and Fish Department.

### Agency Contacts

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|---|---|
| U.S. Army Corps of Engineers<br>3636 N. Central Ave.<br>Phoenix, AZ 85012<br>(602) 640-5385     | U.S. Fish and Wildlife Service<br>Ecological Services Division<br>3616 W. Thomas Rd. Suite 6<br>Phoenix, AZ 85019<br>(602) 379-4720 |
| Arizona Game and Fish Department<br>2921 W. Greenway Rd.<br>Phoenix, AZ 85023<br>(602) 942-3000 |   |

### Actions Required

Section 404 permits issued by the Corps of Engineers involve consulting with USFWS and AGFD for the conservation of wildlife resources by preventing loss of and damage to these resources and by establishing mitigation techniques.

### Fees

There is no fee for USFWS and AGFD review. There is a fee for Section 404 permits. Consult with the Corps of Engineers for Section 404 permit fees (currently for individual permits: \$10 for noncommercial activities and \$100 for commercial and industrial activities; there is no fee for government agency activities).

### Best Numbers to Call

City of Scottsdale Environmental Hotline: (480) 312-7899  
 U.S. Fish and Wildlife Service: (602) 379-4720  
 Arizona Game and Fish Dept.: (602) 942-3000

## 7.4 Historic Preservation: 16 USC chapters 1A & 1B

The State Historic Preservation Office (SHPO), a division of Arizona State Parks, is responsible for the identification, evaluation, and protection of Arizona's prehistoric and historic cultural resources. Established in 1966 by the National Historic Preservation Act (NHPA), the National Register of Historic Places is the nation's official list of properties considered worthy of preservation. You can find out if a property is on the National Register of Historic Places by checking out the [National Register Information System](http://www.nr.nps.gov) (www.nr.nps.gov). Currently, there are 5 Scottsdale buildings/sites on the National Registry.

### Scottsdale Citizen Boards and Commissions

The Historic Preservation Commission was established by the City Council to oversee the development and management of a Scottsdale historic preservation program. This will focus on increasing public awareness of Scottsdale's heritage, identification of historic and cultural resources, designation to recognize significant local resources and assist in the ways necessary to protect/preserve/enhance the best examples of Scottsdale's past.

### 7.4.1 National Historic Preservation Act of 1966: 16 USC chapter 1A

#### Purpose

To establish the national historic preservation program, the State Historic Preservation Offices, and the National Register of Historic Places, an inventory of the nation's historic and prehistoric districts, sites, structures, buildings, and objects worthy of preservation.

#### **Helpful Details**

The State Historic Preservation Officer (SHPO) and Advisory Council on Historic Preservation administer this Act. Section 110 establishes a detailed procedure for managing and protecting historic properties on federal land.

#### **Agency Contacts**

State Historic Preservation Office Arizona  
State Parks Board  
800 W. Washington,  
Suite 415  
Phoenix, AZ 85007  
(602) 542-4009/4174

Advisory Council on Historic Preservation  
730 Simms St., Room 401  
Golden, CO 80401

#### **Actions Required**

Anyone conducting a project on federal lands, and/or assisted by federal funds and/or requiring a federal permit (such as a Section 404 permit), license, or approval, is required to evaluate the effects the project will have on any site listed on or eligible for the National Register of Historic Places. The agency involved is responsible for contacting SHPO early in the project planning phases. Section 106 requires an evaluation by SHPO of how the federally assisted project affects any site listed on or eligible for the National Register of Historic Places. The majority of cases are completed within 30 days of the federal agency submitting complete information to SHPO.

#### **Fees**

None.

#### **Best Numbers to Call**

City of Scottsdale Environmental Hotline: (480) 312-7899

State Historic Preservation Office: (602) 542-4009/4174

### **7.4.2 State Historic Preservation Act of 1982: ARS 41-861 ff.**

#### **Purpose**

To preserve historic properties by nominating such properties to the Arizona Register of Historic Places, to photo-document historic properties that are to be substantially altered or demolished, and to consult with SHPO about agency plans that might affect properties eligible for inclusion in the Arizona Register of Historic Places.

#### **Helpful Details**

SHPO assists government agencies in establishing a program to identify and nominate eligible properties to the Arizona Register of Historic Places, reviews and decides upon the nominations to the register, and assists federal state and local agencies in meeting their preservation responsibilities as defined by federal and state laws.

#### **Agency Contacts**

State Historic Preservation Office  
Arizona State Parks Board  
800 W. Washington, Suite 415  
Phoenix, AZ 85007  
(602) 542-4009 or 542-4174

#### **Actions Required**

Government agencies consult with SHPO when planning projects, including sale or lease of land, or any construction that may potentially affect any historic or prehistoric properties. SHPO has 30 days to review and comment on the project's impacts. Agencies are to consider adaptive reuse of historic buildings and inventory and nominate significant sites to the Arizona Register of Historic Places.

#### **Fees**

None at this time.

#### **Best Numbers to Call**

City of Scottsdale Environmental Hotline: (480) 312-7899  
State Historic Preservation Office: (602) 542-4009 or 542-4174

### **7.4.3 Arizona Antiquities Act of 1960 and "Discovery Clause" Amendment of 1990: ARS 41 chapter 4.1**

#### **Purpose**

To prevent unauthorized excavations of any historic or prehistoric site, burial ground, archaeological and vertebrate paleontological site, to protect human remains and associated burial items on lands owned or managed by state agencies, including its counties and municipalities, to establish a procedure for reporting discoveries of human remains and objects, including objects of tribal patrimony and sacred ceremonial objects, to the Arizona State Museum (ASM), and to prohibit the reproduction, alteration or sale of any antiquity.

#### **Helpful Details**

Arizona State Museum (ASM) in Tucson gives guidance and enforces this law. ASM must be notified in writing or by phone of such discoveries, and consults with the SHPO, appropriate tribal governments, the State Land Department and all interested parties on the disposition of human remains.

#### **Agency Contacts**

Arizona State Museum  
Archaeology Section  
The University of Arizona  
Tucson, AZ 85721  
(520) 621-4795 or 621-4794 or 621-6281

#### **Actions Required**

A State Antiquities Permit from the Director of the ASM is required for any archaeological excavation or survey on state lands. Requires reporting of cultural resource findings to the ASM and securing their preservation. ASM notifies and consults with all interested parties on the disposition of the human remains and funerary objects.

#### **Fees**

The expense of any curation or reburial required due to a construction project shall be borne by that project.

#### **Best Numbers to Call**

City of Scottsdale Environmental Hotline: (480) 312-7899  
Arizona State Museum: (520) 621-4795 or 621-4794 or 621-6281

## **7.4.4 Burial Protection Law of 1990: ARS 41-841**

### **Purpose**

To prevent vandalism of human remains and funerary objects on private lands by requiring a notification procedure on such findings, to prohibits the State or any group or entity from financial benefit from the sale of such objects found on private lands, and to treat human remains, funerary objects and sacred objects with respect and dignity.

### **Helpful Details**

Arizona State Museum gives guidance and enforces this law. See also the Arizona Antiquities Act of 1960 for discoveries of objects on state, county and municipal lands.

### **Agency Contacts**

Arizona State Museum  
Archaeology Section  
The University of Arizona  
Tucson, AZ 85721  
(520) 621-4795 or 621-4794 or 621-6261

### **Actions Required**

Landowner must inform the director of the ASM of any discovery, and cease any disturbance of remains until guided by ASM. ASM has up to 10 working days for consultation with culturally related groups and a decision on what to do with the materials. If the landowner or project manager determines that this would delay project activities, then the 10 day period is not available.

### **Fees**

- The Acquisition Preservation Fund may bear the cost of removal, preservation, or reburial if funds permit.
- Criminal penalties may be imposed for not complying with all requirements of this law.

### **Best Number to Call**

City of Scottsdale Environmental Hotline: (480) 312-7899  
Arizona State Museum: (520) 621-4795 or 621-4794 or 621-6261

## **7.5 Habitat Protection: 16 USC chapter 6, 23; ARS 17-451**

The following sections address habitat protection. These are laws and regulations that are primarily administered by the state. However, the Scottsdale Native Plant Ordinance is in this section. The purpose of these laws, regulations and ordinances appearing here is to inform the organization which habitat protection laws the city is subject to.

### **Scottsdale Citizen Boards and Commissions**

The McDowell Sonoran Preserve Commission advises the City Council on actions to realize the creation of the envisioned McDowell Sonoran Preserve. The Commission has been charged with developing a preservation strategy, a realistic funding plan, an educational/promotional program, a conceptual master plan and a detailed action plan.

The Scottsdale Preserve Authority is a non-profit corporation established for the purpose of assisting the City in providing for financing of land acquisitions for the McDowell Sonoran Preserve through the issuance of bonds.

## **7.5.1 Arizona Native Plant Law: ARS 3 chapter 7**

### **Purpose**

To prevent illegal harvesting of native plants on private or public lands, to establish a permit program for taking for sale or trading, transporting, or possessing protected plants.

### **Helpful Details**

Arizona Department of Agriculture administers the Native Plant Law.

### **Agency Contacts**

Arizona Department of Agriculture  
1688 W.Adams  
Phoenix, AZ 85007  
(602) 542-4373

### **Actions Required**

**REMINDERS:** *This Guide focuses on permits as the starting point for regulatory compliance with each program. If your department's facilities and/or activities require a permit under these programs, you may also need to comply with related requirements to:*

- 1) pay fees;*
- 2) write and submit plans and applications;*
- 3) file reports;*
- 4) make notifications;*
- 5) conduct testing and monitoring;*
- 6) obtain facility and individual certifications and licenses;*
- 7) train staff; and various other requirements.*

*Also, remember that multiple permits are often required under each program and that most permits must be renewed annually or periodically.*

A valid permit issued by the Arizona Department of Agriculture (ADA) must be obtained by anyone wishing to take, transport or possess native plants. Appropriate tags and seals must be properly secured to the plants. If plants are to be destroyed, ADA is to be notified in compliance with state statutes.

### **Fees**

Fees are collected by the Arizona Department of Agriculture to offset administrative costs of the permit program and for the seals or tags used in identifying plants failing under the permit.

Contact Arizona Department of Agriculture for specific fees and other information.

Violation of the Arizona Native Plant Law may result in confiscation of plants and plant parts, and impoundment of equipment and vehicles. Actions may be classified as misdemeanors and civil penalties up to \$5,000 may be imposed for each violation.

### **Best Number to Call**

City of Scottsdale Environmental Hotline: (480) 312-7899

Arizona Department of Agriculture: (602) 542-4373

### **Scottsdale Citizen Boards & Commissions**

The Scottsdale Preserve Authority is a nonprofit corporation established for the purpose of assisting the City in providing for financing of land acquisitions for the McDowell Sonoran Preserve through the issuance of bonds.



### 7.5.1.1 Scottsdale Native Plant Ordinance: SRC Article v sections 46-105-120 <http://www.scottsdaleaz.gov/codes/NativePlant/default.asp> Zoning Ordinance 7.500.

#### Purpose

To protect native plants (primarily trees and cacti) within the city from damage, destruction, removal or relocation without a permit, to require a Native Plant Permit from the city in order to disturb the native plant species listed in this ordinance.

#### Helpful Details

City of Scottsdale administers this ordinance.

#### Agency Contacts

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| City of Scottsdale<br>Development Services<br>7447 E. Indian School Rd., Suite 100<br>Scottsdale, AZ 85251<br>(480) 312-2500 | City of Scottsdale<br>Project Coordination<br>7447 E. Indian School Rd., Suite 125<br>Scottsdale, AZ 85251<br>(480) 312-7080 |
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#### Actions Required

**REMINDERS:** *This Guide focuses on permits as the starting point for regulatory compliance with each program. If your department's facilities and/or activities require a permit under these programs, you may also need to comply with related requirements to:*

- 1) *pay fees;*
- 2) *write and submit plans and applications;*
- 3) *file reports;*
- 4) *make notifications;*
- 5) *conduct testing and monitoring;*
- 6) *obtain facility and individual certifications and licenses;*
- 7) *train staff; and various other requirements.*

*Also, remember that multiple permits are often required under each program and that most permits must be renewed annually or periodically.*

Application for a native plant permit is required and must incorporate a native plant program that describes how disturbed protected plants will be treated during the development process. A plant removal methodology and material tagging is required. A site-plan is required that includes native plant location and an inventory list specifying plant type, size, salvageability, and whether plants will remain, be relocated, or destroyed. City approval of this permit must be made before any development activity begins. Applications are available from Project Coordination and Development & Quality/Compliance.

#### Fees

Fee for a Native Plant Permit is \$25.00, plus \$1.00 per disturbed protected native plant (up to \$1000).  
 Modifying an approved Native Plant Permit costs \$25.00, plus \$1.00 per protected plant subject to these changes (up to \$250).  
 Modifying an approved Native Plant Permit (its relocation methodology) costs \$25.00.

#### Best Numbers to Call

City of Scottsdale Environmental Hotline: (480) 312-7899

**7.5.2 Executive Orders related to Habitat Protection: (16 USC chapters 5-10D)**  
**7.5.2.1 Executive Order 11990-Wetland Protection (Signed by President Carter, May 24, 1977):** 16 USC chapter 64; 42 FR 26961 (1977)

**Purpose**

To minimize the destruction, loss or degradation of wetlands, preserve and enhance the natural and beneficial values of wetlands, avoid adverse impacts associated with new construction in wetlands, and direct all federal agencies or those agencies receiving federal funds to protect wetlands.

**Helpful Details**

All agencies are directed to take necessary actions to minimize the loss or degradation of wetlands and to provide leadership in preserving and enhancing the natural and beneficial values of these areas.

**Agency Contacts**

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| Arizona Department of Environmental Quality<br>3033 N. Central Ave.<br>Phoenix, AZ 85012<br>(602) 207-4510 |
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**Actions Required**

No permit required, but acquiring permits and licenses may be dependent upon the project or activity conforming to the conditions within this order.

**Fees**

None.

**Best Numbers to Call**

City of Scottsdale Environmental Hotline: (480) 312-7899

**7.5.2.2 Governor's Riparian Habitat Task Force Final Report and Recommendations (October 1990):**

**Purpose**

The Riparian Habitat Task Force was formed in October 1989 under the mandate of Executive Order No. 89-16, Streams and Riparian Resources. Its purpose was to identify and recommend management tools to protect conserve, enhance and restore Arizona's riparian resources. The final report:

- Established a definition of riparian areas for use by all state agencies.
- Adopted a "Handbook of Riparian Measurements" as a first step toward a classification system for riparian areas.
- Established a state policy that recognizes the critical nature of riparian areas and encourages cooperative efforts for their protection, maintenance, restoration and careful management.
- Established a policy that restoration or enhancement of other riparian areas of equal values and functions will balance any loss or degradation of riparian areas.
- Recommended that an executive order (91-6) be issued by Governor and direct state agencies to comply with the Task Force's riparian area policy.
- Section CWA Section 401.

#### **Helpful Details**

Governor's Riparian Habitat Task Force members developed this report and recommendations for future actions.

#### **Agency Contacts**

Arizona Department of Environmental Quality  
3033 N. Central Ave.  
Phoenix, AZ 85012  
(602) 207-4510

#### **Actions Required**

ADEQ utilizes this report in Section 401 water quality certification, encourages use of the Handbook of Riparian Measurements as a standard for an inventory of riparian areas, promotes state agency cooperation to ensure riparian protection maintenance and restoration, and encourages federal and local agencies, tribal councils and private organizations to consider riparian area protection in their policies and actions.

#### **Fees**

None.

#### **Best Numbers to Call**

City of Scottsdale Environmental Hotline: (480) 312-7899  
Arizona Department of Environmental Quality: (602) 207-4510

### **7.5.2.3 Governors Executive Order 89-16 Streams and Riparian Areas:** Governor's Executive Order 89-16.

#### **Purpose**

To recognize stream and riparian resources as a rare and endangered ecosystem, and for their economic and biological values, including groundwater recharge, improving water quality, flood protection and erosion control, and recreation and education opportunities.

#### **Helpful Details**

State agencies are encouraged to determine if their actions and programs are consistent with this executive order.

#### **Agency Contacts**

Arizona Department of Environmental Quality  
3033 N. Central Ave.  
Phoenix, AZ 85012  
(602) 207-4510 or 207-4502

#### **Actions Required**

No permit required. ADEQ utilizes this executive order in its review for Section 401 state water quality certification. This executive order encourages familiarity with and action consistent with the importance of riparian resources and their protection.

#### **Fees**

None.

**Best Numbers to Call**

City of Scottsdale Environmental Hotline: (480) 312-7899

Arizona Department of Environmental Quality: (602) 207-4510 or 207-4502

**7.5.2.4 Governor's Executive Order 91 –6 Protection of Riparian Areas: Governor's Executive Order 91-6.**

**Purpose**

To recognize the importance of preserving, maintaining and restoring riparian areas and instream flows throughout Arizona, promote public awareness of the benefits and values of riparian areas, direct state agencies to carry out specified actions to ensure appropriate protection and management of Arizona's riparian areas.

**Helpful Details**

All appropriate state agencies and local governments are requested to make their actions consistent with the intent of this order. ADEQ shall consider the protection of riparian areas in its review for section 401 state water quality certification.

**Agency Contacts**

Arizona Department of Environmental Quality  
3033 N. Central Ave.  
Phoenix, AZ 95012  
(602) 207-4510 or 207-4502

**Actions Required**

No permit or review is required. ADEQ utilizes this executive order in its Section 401 review.

**Fees**

None.

**Best Numbers to Call**

City of Scottsdale Environmental Hotline: (480) 312-7899

Arizona Department of Environmental Quality: (602) 207-4510 or 207-4502

**7.6 Floodplain and Drainage Ordinance:**  
SRC chapter 37; Ordinance No. 1993 (2-29-88)

**Purpose**

To regulate land use and development in order to minimize potential losses and hazardous conditions from flooding caused by rainfall runoff, to prohibit development that would create hazards to life or property by increasing the likelihood of flooding on any property, to implement requirements of FEMA required to maintain eligibility for the National Flood Insurance Program (NFIP) and to conform to the regulations and directives of FEMA and Executive Order 11988, Floodplain Management.

**Helpful Details**

City of Scottsdale's Quality Compliance personnel review projects for compliance with this ordinance.

### Agency Contacts

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|---|--|
| City of Scottsdale<br>Transportation Department-<br>Drainage Planning<br>7447 E. Indian School Rd., Suite 205<br>Scottsdale, AZ 85251<br>(480) 312-7696 | City of Scottsdale<br>Quality Compliance<br>7447 E. Indian School Rd., Suite 125<br>Scottsdale, AZ 85251<br>(480) 312-7080 |
|---|--|

### Actions Required

**REMINDERS:** *This Guide focuses on permits as the starting point for regulatory compliance with each program. If your department's facilities and/or activities require a permit under these programs, you may also need to comply with related requirements to:*

- 1) *pay fees;*
- 2) *write and submit plans and applications;*
- 3) *file reports;*
- 4) *make notifications;*
- 5) *conduct testing and monitoring;*
- 6) *obtain facility and individual certifications and licenses;*
- 7) *train staff; and various other requirements.*

*Also, remember that multiple permits are often required under each program and that most permits must be renewed annually or periodically.*

A review of development projects and improvement plans for compliance with requirements specified in this ordinance is part of the City's development review process.

### Fees

Review costs are included in the review fees for development within Scottsdale.

### Best Numbers to Call

City of Scottsdale Transportation Department, Drainage Planning: (480) 312-7696

## 7.6.1 Federal Emergency Management Agency's (FEMA) National Flood Insurance Program (NFIP) : 44 CFR parts 0-399

### Purpose

To reduce future flood damage by regulating all new construction and substantial improvements and developments within flood-prone areas, to establish guidance and requirements for ordinances communities must enact in order to participate in the NFIP, to make flood insurance available to the community.

### Helpful Details

City of Scottsdale's Floodplain Administrator, Federal Emergency Management Agency and Arizona Department of Water Resources administer the program through a Floodplain and Drainage Ordinance. The authority for the City's ordinance comes from Executive Order 11988 - Floodplain Management (Signed by President Carter, May 24, 1977). The program seeks to avoid as much as possible the adverse impacts associated with floodplain occupancy and development and to reduce the risk of loss from floods, and to restore and preserve the natural and beneficial values of floodplains. All federal, state and local programs with federal funding must comply with this executive order.

**Agency Contacts**

|   |   |
|---|---|
| City of Scottsdale<br>Floodplain Administrator<br>7447 E . Indian N. School Rd.,<br>Suite 205<br>Scottsdale, AZ 85251<br>(480) 312-7696                                       | Federal Emergency Management Agency<br>Federal Insurance Administration<br>C Street, SW<br>Washington, DC 20472<br>1-800-523-0321     |
| Federal Emergency Management Agency,<br>Region IX<br>Martha Whetstone, Regional Director<br>Bldg. 105, Presidio of San Francisco<br>San Francisco, CA 94129<br>(415) 923-7100 | Arizona Department of Water Resources<br>Main Office<br>500 N. Third Street<br>Phoenix AZ 85004<br>(602) 417-2400 FAX: (602) 417-2401 |

**Actions Required**

- No permit required; development plans must be submitted to the City of Scottsdale for review and compliance with the City's Floodplain and Drainage ordinance (which was reviewed and accepted by FEMA prior to the community's acceptance into the NFIP).
- Finish floor elevations must be inspected and certified by the City of Scottsdale.

**Fees**

No separate fees for compliance with FEMA regulations, the City of Scottsdale requires inspection fees and plan review fees as part of the development review process.

**Best Numbers to Call**

City of Scottsdale Floodplain Administrator: (480)312-7696  
Federal Emergency Management Agency, Region IX: (415) 923-7100  
Federal Emergency Management Agency: 1-800-523-0321  
Arizona Department of Water Resources: (602) 417-2400